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January 28, 2011

VIA HAND DELIVERY

Honorable Denise L. Cote, USDJ
United States District Court
Southern District of New York
500 Pearl Street, Room 1040
New York, NY 10007-1312

Re: Travelers v. Dayton Superior, et al.
07-CV-6915 (DLC)
GS File No.: 15180.0001

Dear Judge Cote:

We are counsel to the fourth-party defendant, Dayton Superior Corporation, in the above referenced action. As you are aware, I am lead trial counsel for this action on behalf of Dayton. I am currently on trial before Judge Kern in Supreme Court, New York County (80 Centre Street, Rm 328). I have advised Judge Kern of the pending pre-trial conference scheduled be held before Your Honor on February 3, 2011. However, Judge Kern has advised that summations in the case I am trying will be held on that same date. For this reason, I respectfully request your consent to provide substitute counsel to appear before Your Honor on that date to address the pending pre-trial issues.

Thank you for your consideration of this request. Should you require any additional information, I can be reached via email at wkelly@goldbergsegalla.com, or via telephone at (914) 798- 5475.

Respectfully yours,

William G. Kelly

Granted.
Denise Cote
Jan 28, 2011

cc: via email
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